IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

APPEAL FROM ORDER NO. 158 OF 2005

Padmini Hanumant Lendwe & others. ... Appellants.

Versus.

Mahadeo Sopan Lendwe & anr. ... Respondents.

Shri S.S.Patwardhan for the Appellants.

CORAM : ABHAY S. OKA, J.

DATED : 4th March, 2005.

P.C.:

1. The Appeal from Order is preferred by the original Plaintiffs. Application for temporary injunction was rejected by the order dated 12th October 1998. Almost for a period of six years, there is no interim relief operating in favour of the Appellants. The order of temporary injunction is a discretionary and equitable relief and after lapse of such a long time no relief can be granted. Hence the Appeal from Order is dismissed with no order as to costs.

2. The trial Court will decide the suit, if pending, without being influenced by the impugned order and the confirmation thereof by this Court.

3. Parties to act on authenticated copy of this order.

Judge.